



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 22980

PERMIT 15823

LICENSE 10634

THIS IS TO CERTIFY, That

PINE MOUNTAIN LAKE ASSOCIATION
P. O. BOX 242, GROVELAND, CALIFORNIA 95321

HAS made proof as of AUGUST 21, 1973 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
BIG CREEK IN TUOLUMNE COUNTY

tributary to TUOLUMNE RIVER

for the purpose of IRRIGATION AND RECREATIONAL USES
under Permit 15823 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from FEBRUARY 7, 1968 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed SEVEN THOUSAND SIX HUNDRED FIFTY (7,650) ACRE-Feet PER
ANNUM, TO BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO MAY 31 OF THE SUCCEEDING
YEAR. THE MAXIMUM WITHDRAWAL IN ANY ONE YEAR SHALL NOT EXCEED 960 ACRE-Feet.

AFTER THE INITIAL FILLING OF THE STORAGE RESERVOIR, LICENSEE'S RIGHT UNDER
THIS LICENSE EXTENDS ONLY TO THE QUANTITY OF WATER NECESSARY TO KEEP THE STORAGE
RESERVOIR FULL BY REPLACING WATER BENEFICIALLY USED FOR IRRIGATING ITS GOLF
COURSE AND PARK AREA AND WATER LOST BY EVAPORATION AND SEEPAGE, AND TO REFILL
THE RESERVOIR IF IT IS EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 45° 30' WEST 2,200 FEET FROM NE CORNER OF SECTION 15, T1S, R16E, MDB&M,
BEING WITHIN SW1/4 OF NE1/4 OF SAID SECTION 15.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

RECREATIONAL USE AT RESERVOIR LOCATED WITHIN PORTIONS OF SECTIONS 14, 15, AND 23,
T1S, R16E, MDB&M, AND IRRIGATION OF A 100 ACRE GOLF COURSE WITHIN SECTIONS 15
AND 22, T1S, R16E, MDB&M, AS SHOWN ON MAP FILED WITH STATE WATER RESOURCES
CONTROL BOARD.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

[illegible]

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting

LICENSEE SHALL SUBMIT ANNUALLY TO THE STATE WATER RESOURCES CONTROL BOARD, WITH COPIES TO TURLOCK AND MODESTO IRRIGATION DISTRICTS, ON OR BEFORE DECEMBER 1, A REPORT TO REFLECT ACTUAL RAINFALL, RUNOFF, WATER CONSUMPTION, AND WATER SALVAGE CONDITIONS DURING THE WATER YEAR ENDING SEPTEMBER 30. EACH REPORT SHALL LIST THE AMOUNT OF WATER PURCHASED, THE AMOUNT OF FLOW INTO AND OUT OF LICENSEE'S RESERVOIR, AND SHALL ADHERE TO THE ASSUMPTIONS AND FORM CONTAINED IN EXHIBIT 12 SUBMITTED AT THE HEARING ON APPLICATION 22980 AND ATTACHED AS EXHIBIT A TO DECISION 1320 OF CALIFORNIA WATER RESOURCES CONTROL BOARD.

THE DATA TO BE REPORTED ON ANNUALLY AS REQUIRED BY THE PRECEDING PARAGRAPH WILL CONSTITUTE THE BASIS OF DETERMINING INVASION OF THE RIGHTS OF TURLOCK AND MODESTO IRRIGATION DISTRICTS. IF LICENSEE'S OPERATIONS RESULT IN A NET LOSS TO THE FLOW OF BIG CREEK INTO TUOLUMNE RIVER FOR THE WATER YEAR AND ALL OF THE FLOW OF THE TUOLUMNE RIVER AVAILABLE TO THE DISTRICTS DURING THE WATER YEAR HAS BEEN DIVERTED OR STORED BY THE DISTRICTS PURSUANT TO VALID RIGHTS OR RELEASED TO COMPLY WITH MINIMUM FISH-FLOW REQUIREMENTS, AN INVASION OF THE DISTRICTS' RIGHTS WILL BE DEEMED TO HAVE OCCURRED. NO INVASION WILL BE DEEMED TO HAVE OCCURRED IF AT ANY TIME DURING THE WATER YEAR COVERED BY THE REPORT WATER SPILLED OR WAS RELEASED FROM NEW DON PEDRO RESERVOIR TO PROVIDE FLOOD CONTROL STORAGE SPACE AND WHICH WAS NOT USED TO GENERATE POWER OR WAS NOT DIVERTED BY THE DISTRICTS FOR BENEFICIAL USE PURSUANT TO VALID RIGHTS OR RELEASED FROM LA GRANGE DAM TO PROVIDE MINIMUM REQUIRED FISH FLOWS. IN ANY YEAR WHEN INVASION OF THE RIGHTS OF SAID DISTRICTS IS DEEMED TO HAVE OCCURRED, LICENSEE SHALL, UNLESS THE DISTRICTS AGREE OTHERWISE, MAKE UP THE NET LOSS BY RELEASING WATER FROM STORAGE OR SUPPLYING WATER BY PURCHASE FROM GROVELAND COMMUNITY SERVICES DISTRICT.

LICENSEE SHALL BE RESPONSIBLE FOR MAINTAINANCE OF SUITABLE MEASURING DEVICES (A) UPSTREAM FROM THE HIGH WATER ELEVATION OF ITS RESERVOIR AND (B) IMMEDIATELY BELOW ITS DAM OR PROVIDE OTHER SUITABLE MEANS IN ORDER THAT ACCURATE MEASUREMENT CAN BE MADE OF THE QUANTITY OF WATER FLOWING INTO AND OUT OF ITS RESERVOIR. THIS LICENSE IS SUBJECT TO THE AGREEMENT DATED SEPTEMBER 8, 1975, PROVIDING FOR SUCH MEASURING DEVICES, BEING BETWEEN TURLOCK IRRIGATION DISTRICT, MODESTO IRRIGATION DISTRICT AND LICENSEE, PINE MOUNTAIN LAKE ASSOCIATION, TO THE EXTENT SUCH AGREEMENT COVERS MATTERS WITHIN THE BOARD'S JURISDICTION.

LICENSEE SHALL MAINTAIN A FLOW OF 8 GALLONS PER MINUTE OR THE NATURAL FLOW OF BIG CREEK, IF LESS, IN THE CHANNEL OF BIG CREEK AT THE UPSTREAM PROPERTY LINE OF THE CROOK RANCH.